

Message Text

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12-R
ACTION EUR-12

INFO OCT-01 EA-06 ISO-00 NSC-05 NSCE-00 CIAE-00 TRSE-00

EB-07 INR-07 IO-10 NEA-09 SP-02 SS-15 SSO-00 INRE-00

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O R 191117Z MAR 75
FM USMISSION OECD PARIS
TO SECSTATE WASH DC IMMEDIATE 6082
INFO AMEMBASSY ANKARA
AMEMBASSY ATHENS
AMEMBASSY BERN
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY CANBERRA
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
USMISSION EC BRUSSELS
AMEMBASSY HELSINKI
AMEMBASSY THE HAGUE
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY MADRID
AMEMBASSY OSLO
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY REYKJAVIK
AMEMBASSY ROME
AMEMBASSY STOCKHOLM
AMEMBASSY TOKYO
AMEMBASSY VIENNA
AMEMBASSY WELLINGTON

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PASS TREASURY FOR BENNETT AND COOPER
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E.O. 11652: N/A

TAGS: EFIN, OECD

SUBJECT: FORTHCOMING OECD COUNCIL DISCUSSION OF OFFICIAL
LANGUAGE AND OTHER QUESTIONS RELATING TO SUPPORT FUND

REF: OECD PARIS 6737

1. DURING COUNCIL MEETING ON MARCH 18, SEVERAL COUNTRIES MADE REFERENCE TO OPEN QUESTIONS OF OFFICIAL LANGUAGES AND OF LANGUAGES USED FOR AUTHENTIC TEXT FOR SUPPORT FUND AGREEMENT. GERMAN PERMREP MADE STRONG ARGUMENT IN FAVOR INCLUDING GERMAN AS BOTH OFFICIAL LANGUAGE AND FOR PURPOSES AUTHENTIC TEXT. SPANISH PERMREP RESERVED POSITION ON POSSIBILITY SIMILAR TREATMENT FOR SPANISH.

2. SECGEN INDICATED THAT COUNCIL ON FRIDAY, MARCH 21, WILL TAKE UP LANGUAGE ISSUE AS WELL AS OTHER QUESTIONS THAT COUNTRIES MAY WISH TO RAISE IN CONNECTION WITH TEXT OF DRAFT DECISION OF THE COUNCIL RELATING TO SUPPORT FUND AGREEMENT (LATEST TEXT IN AD HOC C/WP(75)16, 1ST REVISION, BEING TRANSMITTED SEPTTEL).

3. COMMENT: LANGUAGE ISSUE CONCERNS OFFICIAL LANGUAGES OF THE FUND (BRACKETED SECTION 12 OF ARTICLE XVI OF DRAFT FUND AGREEMENT) AND LANGUAGE OF AUTHENTIC TEXTS OF AGREEMENT (BRACKETED SECTION 5 OF ARTICLE XXIII). GERMANS ARGUE GERMAN SHOULD BE BOTH OFFICIAL LANGUAGE AND USED FOR AUTHENTIC TEXT (LATTER BECAUSE OF HIGH DEGREE OF POSSIBILITY LEGAL INTERPRETATIONS AND COURT DECISIONS WILL BE REQUIRED IN GERMANY UNDER OPERATIONS OF SUPPORT FUND. USE OF GERMAN AS OFFICIAL LANGUAGE WITHOUT REIMBURSEMENT BY GERMANY FOR COSTS INVOLVED (EXCEPT PERHAPS IN INTERIM BEFORE FUND COMES INTO OFFICIAL OPERATION) PRESUMABLY BASED ON ARGUMENT THAT SUPPORT FUND WOULD HAVE SEPARATE IDENTITY AND DOES NOT NEED TO FOLLOW PRACTICE OF OECD ITSELF. UNDER RULE 27 OF THE OECD ONLY ENGLISH AND FRENCH ARE OFFICIAL LANGUAGES. IN OECD PRACTICE, IF OTHER LANGUAGES ARE USED, EXPENSES LIMITED OFFICIAL USE

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OF INTERPRETATION ARE ORDINARILY BORNE BY COUNTRY CONCERNED AND ARE NOT CHARGED TO OECD BUDGET.

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FM USMISSION OECD PARIS

TO SECSTATE WASH DC IMMEDIATE 6083

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

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4. WE EXPECT THAT SECGEN WILL OPPOSE EXTENDING OFFICIAL LANGUAGES OF SUPPORT FUND BEYOND ENGLISH AND FRENCH, EXCEPT ON BASIS OF REIMBURSEMENT BY COUNTRY. (WHILE GERMAN IS RECOGNIZED AS THIRD OFFICIAL LANGUAGE IN IEA, COSTS ARE CHARGED TO GERMANY.) SEVERAL OTHER COUNTRIES CAN BE EXPECTED TO INSIST ON EQUAL TREATMENT WITH GERMAN FOR THEIR LANGUAGES (NOTE ITALIAN RESERVATION TO ARTICLES XVI AND XXIII, DUTCH RESERVATION TO ARTICLE XXIII AND SPANISH INTERVENTION AT COUNCIL REPORTED ABOVE). WE UNDERSTAND THAT SECGEN MAY BE WILLING TO COMPROMISE TO PERMIT AUTHENTIC GERMAN TEXT OF AGREEMENT, BUT SECRETARIAT IS CONCERNED THAT THIS SHOULD NOT LEAD TO EXCESSIVE PROLIFERATION OF AUTHENTIC LANGUAGES AT RISK OF UNDULY COMPLICATING AND EVEN DELAYING IMPLEMENTATION OF SUPPORT FUND.

5. MISSION BELIEVES THAT WHILE GERMAN DESIRES ON LANGUAGE ARE UNDERSTANDABLE, IT WILL BE DIFFICULT TO ACCOMMODATE THEM WITHOUT RISKING OPENING FLOODGATES TO OTHERS AND CREATING UNFORTUNATE EXAMPLE FOR OECD ITSELF. BEST U.S. TACTIC MAY BE TO SEEK STAY ON SIDELINES OF DEBATE AT LEAST FOR INITIAL ROUND OF DISCUSSION.

6. ACTION REQUESTED. MISSION REQUESTS PRIOR TO MARCH 21 (A) GUIDANCE ON POSITION U.S. SHOULD TAKE ON LANGUAGE QUESTIONS WHICH BRACKETED IN ARTICLE XVI, SECTION 12 AND ARTICLE XXIII, SECTION 5 OF DRAFT AGREEMENT, AND (B) ANY U.S. COMMENTS ON TEXT OF DRAFT DECISION OF COUNCIL.
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